

Minutes of the Quarterly Meeting of the
Kaneohe Bay Regional Council
July 5, 2006

KBRC Representatives present:

John Morgan (Chairperson), William Sager, Kelvin Ching (on holdover assignment per Governor's letter dated 6/27/05), David Krupp, Robin Gay Makapagal.

KBRC Representatives absent:

John Myrdal

Public present:

Rick Towill, Scott Allred, Matt Claybaugh, Clint M. Anderson, Ken Rakta, Clark Fremgen, Sean Martin, Ernie Choy, George Gagne, Lisa Gagne, Lugene Simeona, George Taylor, Bert Akuna, Helen & Kenneth Kalahiki, Hannah & Kimo Corstorphine, R. Scott McCully, John N. Sutton, R. Tod Grupen, Courtney Hannah, Dave Nakama, Rick Verville, Christie Verville, Representative Colleen Meyer, George C. Meyer, Mahealani Cypher, Leialoha "Rocky" Kaluhiwa, Nick Thompson, Al(?) Aina, Clint Aina, Leo Pereira, Ann Marie Shannon, Richard Silva, Bill Bachmann, Wesley Mundy (DOCARE), John Sutton, Ann Bachmann, Lucreia Fry, Dominic Henreques, Keawe Kaluhiwa, Carl Hillen, Fred Hillen, Marvin Ching, Stanley Miranda, Debra Miranda, Marcus Hannah, Christine Hannah, Robert Walls, Lee Williams, Rocky Kaluhiwa, Shannon Wood, Peter Young (DLNR), Roy Yanagihara (DLNR-Boating)

Meeting called to order at 7:10pm

Agenda Item 1: Minutes from 4/5/06 Meeting

Chair asked that approval of the minutes of the previous meeting be delayed until members had an opportunity to review them. (they had been given copies just prior to the meeting)

Agenda Item 2: Presentation Ray Sanborn, Kama'aina Kids

Presentation by Ray Sanborn, president of Kama'aina Kids requesting 9 additional ORMA decals for new watercraft used in his educational program on Kaneohe Bay. Members and public were asked if they had any objections, none were expressed. Chair directed that a memorandum indicating their support for issuing additional permits be included in their file for future reference. (see attached Kama'aina Kids handout and copy of memorandum from KBRC)

Agenda Item 3a-c: Report from DLNR/DBOR

a. Report from DLNR regarding the status of SB 2004 CD1. Chairman of DLNR, Peter Young indicated that he came to the meeting to solicit public input regarding the bill concerning Ahu O Laka. He indicated that he thought the introduction of the bill had

raised public awareness of the history and cultural significance of that landmark which was a good thing. He also indicated that large gatherings such as the one that occurred on Labor Day 2005 would be subject to existing rules and could be controlled in the future, pursuant to an opinion by the Attorney General. In response to a question posed by a person in attendance he indicated that he was inclined to recommend support for the passage of SB 2004 to the governor in order to adopt rules he felt were needed. Chair Morgan asked for an example of a rule that was needed. Mr. Young indicated that he was unable to cite an example at the time because he believed public hearings would be needed to determine that. Representative Colleen Meyer indicated that the public hearing process is sometimes abused by those conducting hearings and cited the process leading to the passage of SB 2004. Mahealani Cypher representing the Koolaupoko-Koolauloa Hawaiian Civic Club, spoke in support of SB 2004 indicating the need to preserve cultural landmarks and for greater public awareness of Hawaiian historical sites in the area. Several persons in the gathering indicated their Hawaiian heritage and stated their opposition to the bill stating among other things that 1) while Ahu o Laka may be a landmark there is little proof that it is as significant as those supporting the monument designation suggested; 2) claims regarding pollution in the area were greatly exaggerated; 3) the concerts that occurred in 2005 were isolated incidents and have not reoccurred since. Other persons testified that: 1) current rules were not being enforced; 2) police presence was welcomed, but they did not want too much policing; 3) sanitation posed no greater problem at the sandbar than in Waikiki; 4) uncertainty about the proposed rules and rule making process made proposed measure unwarranted. Based on a straw vote of those present, the council members voted 4 in favor and 1 opposed to sending a letter to the governor to reaffirm their previous resolution in opposition to SB 2004 CD1.

b. DOBOR representative, Roy Yanagihara, asked the council and the audience for suggested language to amend the rules concerning the mooring of flat-bottomed boats and skiffs anchored on the mudflats around Kaneohe Bay. (See, HAR 13-235-35) He reminded the assembly of the problems encountered with the removal of the barge that was the source of residents' complaints. The owner of that barge had indicated that he intended to build another one. Bill Sager suggested a definition of flat-bottomed boats as a vessel less than 20' in length with a girth not wider than 8', having a bimini top.

c. The DOBOR representative suggested that the meeting move on to the next agenda topic regarding the progress in the adoption of the Kaneohe Master Plan into law.

Agenda Item 4: Reports from KBRC representatives.

- No report from commercial boating representative.
- No report from Kahalu'u Neighborhood Board representative.
- No report from Kaneohe Neighborhood Board representative.
- No report from UH/HIMB representative Mr. David Krupp. Update given by Dr. Joanne Leong from UH/HMIB, instead. Report on activities being conducted at their Coconut Island facility in Kaneohe Bay. She reported on the use of sea urchins to control the spread of alien seaweed in the bay. (also requested that people refrain

from eating the urchins) She asked if anyone wanted to volunteer to assist in the effort they could call her at 236-7401.

- Recreational boating representative was absent.
- Recreational fishing representative Kelvin Ching had no report but reported that he had received reports that commercial operators or their customers near the sandbar were regularly seen outside their operating boundaries. The DOBOR representative said that he would pass the information on to the DOCARE.
- No report from Office of Hawaiian Affairs representative. Position vacant.

Agenda Item 5: Old Business

DOBOR representative reported he had received no word from the governor's office as to when the appointment of the two replacement members would be approved.

Agenda Item 6 (listed in error as Item 8 on the Agenda):New Business

None.

Reminder:

Next meeting to be held on October 4, 2006 same time and place.

Meeting adjourned at 9:45pm.

Respectfully submitted,

Roy S. Yanagihara, Acting Oahu District Manager
DLNR/Division of Boating & Ocean Recreation